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5-16-01
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NNABUGWU GOGOH,

Petitioner

v.

JANET RENO, et al.,

Respondent

: CIVIL ACTION NO. 1:CV-00-1211

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: (Judge Rambo)

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FILED
HARRISBURG, PA

MAY 16 2001


MARY E. D'ANDREA, CLERK
Per *[Signature]*
Deputy Clerk

O R D E R

NOW, THIS ^{16th} DAY OF MAY, 2001, upon consideration of the facts that: (1) the above captioned petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 was filed by Nnabugwu Gogoh while a detainee of the Immigration and Naturalization Service ("INS") being held at the York County Prison, York, Pennsylvania; (2) in the instant petition Gogoh sought nominal bail pending deportation; (3) in a decision dated November 17, 2000, the Board of Immigration Appeals (BIA) ruled that Petitioner be removed as an alien who has been convicted of an aggravated felony; (4) on November 27, 2000, Petitioner filed a supplemental motion for habeas corpus review pursuant to 28 U.S.C. §2241 and a motion for stay of deportation; (5) this court sua sponte contacted the prison and was informed that on April 25, 2001, the District Director released Gogoh from custody on

parole; (6) no forwarding address for Gogoh has been provided to this court; (7) Gogoh has obtained relief greater than he sought in his original petition filed with this court, **IT IS HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus is dismissed as moot.
2. Petitioner's motion for stay of deportation, (Doc. No. 8) is denied because Petitioner is currently utilizing his administrative remedies having filed a motion with the BIA to re-open and remand his case.
3. Petitioner's supplemental motion for habeas corpus, (Doc. No. 9) is denied. Petitioner is challenging his underlying aggravated felony conviction and, therefore, should file a §2255 petition in the district in which he was convicted.
4. The Clerk of Court is directed to close this case.



SYLVIA H. RAMBO
United States District Judge

SR:alp

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

May 16, 2001

Re: 1:00-cv-01211 Gogoh v. Reno

True and correct copies of the attached were mailed by the clerk
to the following:

Nnabugwu Gogoh
CTY-YORK
York County Prison
3401 Concord Road
York, PA 17402

Anne K. Fiorenza, Esq.
Assistant U.S. Attorney
U.S. Attorney's Office
228 Walnut Street
Suite 217
Harrisburg, PA 17108

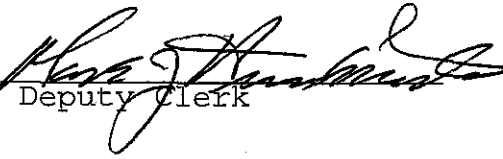
cc:

Judge	(X)	(X) Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	(X)	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	()	with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

DATE: May 16th, 2001

BY:


Deputy Clerk